IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 1197 (S/S) of 2007

Deepika Chaunsali W/o Sri Mohan Chaunsali
R/o Village Nera, Pithoragarh
District- Pithoragarh ------- Petitioner

Versus

1. State of Uttarakhand through Director of Education, Uttarakhand, Dehradun
2. District Education Officer, District Pithoragarh
3. Additional District Education Officer (Basic), District Pithoragarh

----- Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Lalit Samant, learned counsel for the petitioner and Sri H.M. Raturi, learned Standing Counsel State of Uttarakhand for the respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:

1. Issue a writ, order or direction in the nature of mandamus directing the respondents to release the monthly salary of the petitioner which is due on the respondents since Dec. 2005 to till today.
2. Issue a writ, order or direction in the nature of mandamus directing the respondents to pay regular monthly salary and other consequential benefits to the petitioner.
3. Issue a writ, order or direction in the nature of mandamus directing the respondents not to interfere in peaceful functioning of the petitioner as Assistant Teacher Primary School, Supokhara (Munakot), Pithoragarh.

4. Issue any other order or direction, which this Hon'ble High Court may deem fit and proper in the facts and circumstances of the case.

5. Award cost of the petition to the petitioner.

The stand of the petitioner is that she was transferred as Assistant Teacher from Primary School Aksot-I to Primary School Supokhara (Munakot), Pithoragarh vide order dated 14.11.2005 passed by Director of Education, Dehradun.

Learned counsel for the petitioner has submitted that in pursuance to the aforesaid order, she has joined the school in the month of February 2006, but since February 2006, she is not being paid salary for the reasons best known to the respondents.

In the circumstances, I deem it fit and proper to direct the petitioner to make a representation before the Additional District Education Officer (Basic), Pithoragarh for redressal of her grievances. If such a representation is moved before the Additional District Education Officer (Basic), Pithoragarh, he is directed to take decision on the representation of the petitioner and make payment of salary to the petitioner within a period of three weeks from the date of production of a certified copy of this order along with the representation, if there is no any legal hurdle.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

30.08.2007
VKS